

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BODUM USA, INC.	)	
	)	
Plaintiff,	)	Civil Action No.: 07 CV 6352
	)	
v.	)	Judge Kendall
	)	
EPOCA, INC.,	)	Magistrate Judge Keys
	)	
Defendant.	)	

**AGREED MOTION FOR THIRD EXTENSION OF TIME FOR  
DEFENDANT TO ANSWER OR OTHERWISE PLEAD**

Defendant Epoca, Inc. ("Defendant") respectfully requests a 30-day extension of time to answer or otherwise plead, and a similar re-scheduling of the Joint Status Report and scheduled status hearing. Plaintiff's counsel has agreed to these extensions. In support of this motion, Defendant states as follows:

1. Defendant was served with the summons and complaint on November 16, 2007. This Court has granted two agreed motions to extend the date on which an answer is due, such that it is currently due on February 20, 2008.
2. The Court's minute order of January 18, 2008, also set the due date for the Joint Status Report as February 22, 2008, and scheduled a status hearing for February 28, 2008.
3. The parties have used the intervening time to conduct settlement negotiations, and such negotiations have made progress. The parties are at the point of exchanging drafts of a proposed settlement agreement. The parties would prefer to continue these negotiations, rather than expend resources to begin the litigation process. The parties submit that this course of action would be the best use of the parties' and judicial resources.

4. If the Court grants the extension of time to answer or otherwise plead, Defendant respectfully requests that the due date for the Joint Status Report be reset to March 24, 2008, and that the status hearing date be reset to a time on or around March 27, 2008, as the Court's schedule allows.

5. Defendant's counsel has conferred with Plaintiff's counsel, and Plaintiff's counsel agrees to this third proposed extension.

WHEREFORE, Defendant, Epoca, Inc., respectfully requests that this Court grant it an extension of thirty (30) days, or until March 21, 2008, to answer or otherwise plead, that the Court reset the due date for the Joint Status Report to March 24, 2008, and that the Court reset the status hearing to a time on or around March 28, 2008.

Respectfully submitted,

EPOCA, INC.

Date: February 19, 2008

By: s/ Mark R. Bagley  
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Mark R. Bagley  
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Attorneys for Defendant  
EPOCA, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **AGREED MOTION FOR THIRD EXTENSION OF TIME FOR DEFENDANT TO ANSWER OR OTHERWISE PLEAD** was served via the Northern District of Illinois electronic filing system to:

David E. Bennett  
Jared C. Jodrey  
Vedder, Price, Kaufman & Kammholz, P.C.  
222 North LaSalle Street, Suite 2600  
Chicago, Illinois 60601-1003

on this 19<sup>th</sup> day of February, 2008.

\_\_\_\_\_  
s/ Mark R. Bagley

Mark R. Bagley